

BEFORE THE  
BOARD OF REGISTERED NURSING  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

**GLADYS CHINWOKE MUOE BONAM**

**P.O. Box 9813**

**Fort Mohave, AZ 86427**

**Registered Nurse License No. 668156**

Respondent

Case No. 2012-350

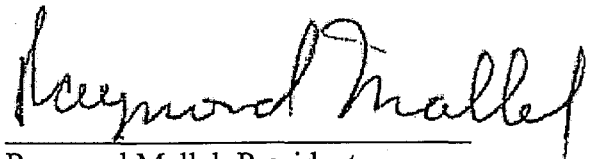
OAH No. L-2011121024

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **March 15, 2013.**

IT IS SO ORDERED **February 14, 2013.**



Raymond Mallel, President  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California

1 KAMALA D. HARRIS  
Attorney General of California  
2 KAREN B. CHAPPELLE  
Supervising Deputy Attorney General  
3 RANDY M. MAILMAN  
Deputy Attorney General  
4 State Bar No. 246134  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2442  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*

7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
**DEPARTMENT OF CONSUMER AFFAIRS**  
9 **STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. 2012-350

11 **GLADYS CHINWOKE MUOEBONAM**  
12 **P.O. Box 9813**  
13 **Fort Mohave, AZ 86427**  
**Registered Nurse License No: 668156**

OAH No. L-2011121024  
**STIPULATED SETTLEMENT AND**  
**DISCIPLINARY ORDER**

14 Respondent.

15  
16 In the interest of a prompt and speedy settlement of this matter, consistent with the public  
17 interest and the responsibility of the Board of Registered Nursing of the Department of Consumer  
18 Affairs, the parties hereby agree to the following Stipulated Settlement and Disciplinary Order  
19 which will be submitted to the Board for approval and adoption as the final disposition of the  
20 Accusation.

21 **PARTIES**

22 1. Louise R. Bailey, M.Ed., RN ("Complainant") is the Interim Executive Officer of the  
23 Board of Registered Nursing. She brought this action solely in her official capacity and is  
24 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by  
25 Randy M. Mailman, Deputy Attorney General.

26 2. Gladys Chinwoke Muoebonam ("Respondent") is represented in this proceeding by  
27 attorney Eloche Ukeje, whose address is: 800 West First Street #401-15, Los Angeles, California  
28 90012.

3. On or about October 25, 2005, the Board of Registered Nursing issued Registered Nurse License No. 668156 to Respondent. The Registered Nurse License was in full force and effect at all times relevant to the charges brought in Accusation No. 2012-350 and will expire on May 31, 2013, unless renewed.

## JURISDICTION

4. Accusation No. 2012-350 was filed before the Board of Registered Nursing ("Board"), Department of Consumer Affairs, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on December 6, 2011. Respondent timely filed her Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 2012-350 is attached as exhibit A and incorporated herein by reference.

## ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 2012-350. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

## CULPABILITY

9. Respondent admits the truth of each and every charge and allegation in Accusation No. 2012-350.

10. Respondent agrees that her Registered Nurse License is subject to discipline and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

**CONTINGENCY**

11. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent or her counsel. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

12. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

13. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

14. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

///

**DISCIPLINARY ORDER**

IT IS HEREBY ORDERED that Registered Nurse License No. 668156 issued to Respondent Gladys Chinwoke Muoebonam ("Respondent") is revoked. However, the revocation is stayed and Respondent is placed on probation for two (2) years on the following terms and conditions.

**Severability Clause.** Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

1. **Obey All Laws.** Respondent shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by Respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

**Criminal Court Orders:** If Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

2. **Comply with the Board's Probation Program.** Respondent shall fully comply with the conditions of the Probation Program established by the Board and cooperate with representatives of the Board in its monitoring and investigation of the Respondent's compliance with the Board's Probation Program. Respondent shall inform the Board in writing within no more than 15 days of any address change and shall at all times maintain an active, current license status with the Board, including during any period of suspension.

Upon successful completion of probation, Respondent's license shall be fully restored.

3. **Report in Person.** Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.

1           4.     **Residency, Practice, or Licensure Outside of State.** Periods of residency or  
2 practice as a registered nurse outside of California shall not apply toward a reduction of this  
3 probation time period. Respondent's probation is tolled, if and when she resides outside of  
4 California. Respondent must provide written notice to the Board within 15 days of any change of  
5 residency or practice outside the state, and within 30 days prior to re-establishing residency or  
6 returning to practice in this state.

7           Respondent shall provide a list of all states and territories where she has ever been licensed  
8 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide  
9 information regarding the status of each license and any changes in such license status during the  
10 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing  
11 license during the term of probation.

12           5.     **Submit Written Reports.** Respondent, during the period of probation, shall submit  
13 or cause to be submitted such written reports/declarations and verification of actions under  
14 penalty of perjury, as required by the Board. These reports/declarations shall contain statements  
15 relative to Respondent's compliance with all the conditions of the Board's Probation Program.  
16 Respondent shall immediately execute all release of information forms as may be required by the  
17 Board or its representatives.

18           Respondent shall provide a copy of this Decision to the nursing regulatory agency in every  
19 state and territory in which she has a registered nurse license.

20           6.     **Function as a Registered Nurse.** Respondent, during the period of probation, shall  
21 engage in the practice of registered nursing in California for a minimum of 24 hours per week for  
22 6 consecutive months or as determined by the Board.

23           For purposes of compliance with the section, "engage in the practice of registered nursing"  
24 may include, when approved by the Board, volunteer work as a registered nurse, or work in any  
25 non-direct patient care position that requires licensure as a registered nurse.

26           The Board may require that advanced practice nurses engage in advanced practice nursing  
27 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

28           If Respondent has not complied with this condition during the probationary term, and

1 Respondent has presented sufficient documentation of her good faith efforts to comply with this  
2 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an  
3 extension of Respondent's probation period up to one year without further hearing in order to  
4 comply with this condition. During the one year extension, all original conditions of probation  
5 shall apply.

6       **7. Employment Approval and Reporting Requirements.** Respondent shall obtain  
7 prior approval from the Board before commencing or continuing any employment, paid or  
8 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all  
9 performance evaluations and other employment related reports as a registered nurse upon request  
10 of the Board.

11       Respondent shall provide a copy of this Decision to her employer and immediate  
12 supervisors prior to commencement of any nursing or other health care related employment.

13       In addition to the above, Respondent shall notify the Board in writing within seventy-two  
14 (72) hours after she obtains any nursing or other health care related employment. Respondent  
15 shall notify the Board in writing within seventy-two (72) hours after she is terminated or  
16 separated, regardless of cause, from any nursing, or other health care related employment with a  
17 full explanation of the circumstances surrounding the termination or separation.

18       **8. Supervision.** Respondent shall obtain prior approval from the Board regarding  
19 Respondent's level of supervision and/or collaboration before commencing or continuing any  
20 employment as a registered nurse, or education and training that includes patient care.

21       Respondent shall practice only under the direct supervision of a registered nurse in good  
22 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods  
23 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are  
24 approved.

25       Respondent's level of supervision and/or collaboration may include, but is not limited to the  
26 following:

27       (a) Maximum - The individual providing supervision and/or collaboration is present in  
28 the patient care area or in any other work setting at all times.

1 (b) Moderate - The individual providing supervision and/or collaboration is in the patient  
2 care unit or in any other work setting at least half the hours Respondent works.

3 (c) Minimum - The individual providing supervision and/or collaboration has person-to-  
4 person communication with Respondent at least twice during each shift worked.

5 (d) Home Health Care - If Respondent is approved to work in the home health care  
6 setting, the individual providing supervision and/or collaboration shall have person-to-person  
7 communication with Respondent as required by the Board each work day. Respondent shall  
8 maintain telephone or other telecommunication contact with the individual providing supervision  
9 and/or collaboration as required by the Board during each work day. The individual providing  
10 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to  
11 patients' homes visited by Respondent with or without Respondent present.

12 9. **Employment Limitations.** Respondent shall not work for a nurse's registry, in any  
13 private duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse,  
14 or for an in-house nursing pool.

15 Respondent shall not work for a licensed home health agency as a visiting nurse unless the  
16 registered nursing supervision and other protections for home visits have been approved by the  
17 Board. Respondent shall not work in any other registered nursing occupation where home visits  
18 are required.

19 Respondent shall not work in any health care setting as a supervisor of registered nurses.  
20 The Board may additionally restrict Respondent from supervising licensed vocational nurses  
21 and/or unlicensed assistive personnel on a case-by-case basis.

22 Respondent shall not work as a faculty member in an approved school of nursing or as an  
23 instructor in a Board approved continuing education program.

24 Respondent shall work only on a regularly assigned, identified and predetermined  
25 worksite(s) and shall not work in a float capacity.

26 If Respondent is working or intends to work in excess of 40 hours per week, the Board may  
27 request documentation to determine whether there should be restrictions on the hours of work.

28 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall enroll and



1 successfully complete a course(s) relevant to the practice of registered nursing no later than six  
2 months prior to the end of her probationary term.

3 Respondent shall obtain prior approval from the Board before enrolling in the course(s).  
4 Respondent shall submit to the Board the original transcripts or certificates of completion for the  
5 above required course(s). The Board shall return the original documents to Respondent after  
6 photocopying them for its records.

7 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with its  
8 investigation and enforcement pursuant to Business and Professions Code section 125.3 in the  
9 amount of \$2,836.00. Respondent shall be permitted to pay these costs in a payment plan  
10 approved by the Board, with payments to be completed no later than three months prior to the end  
11 of the probation term.

12 If Respondent has not complied with this condition during the probationary term, and  
13 Respondent has presented sufficient documentation of her good faith efforts to comply with this  
14 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an  
15 extension of Respondent's probation period up to one year without further hearing in order to  
16 comply with this condition. During the one year extension, all original conditions of probation  
17 will apply.

18 12. **Violation of Probation.** If Respondent violates the conditions of her probation, the  
19 Board after giving Respondent notice and an opportunity to be heard, may set aside the stay order  
20 and impose the stayed discipline (revocation/suspension) of Respondent's license.

21 If during the period of probation, an accusation or petition to revoke probation has been  
22 filed against Respondent's license or the Attorney General's Office has been requested to prepare  
23 an accusation or petition to revoke probation against Respondent's license, the probationary  
24 period shall automatically be extended and shall not expire until the accusation or petition has  
25 been acted upon by the Board.

26 13. **License Surrender.** During Respondent's term of probation, if she ceases practicing  
27 due to retirement, health reasons or is otherwise unable to satisfy the conditions of probation,  
28 Respondent may surrender her license to the Board. The Board reserves the right to evaluate

Respondent's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent will no longer be subject to the conditions of probation.

Surrender of Respondent's license shall be considered a disciplinary action and shall become a part of Respondent's license history with the Board. A registered nurse whose license has been surrendered may petition the Board for reinstatement no sooner than the following minimum periods from the effective date of the disciplinary decision:


(1) Two years for reinstatement of a license that was surrendered for any reason other than a mental or physical illness; or

(2) One year for a license surrendered for a mental or physical illness.

#### ACCEPTANCE

I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully discussed it with my attorney, Eloche Ukeje. I understand the stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Board of Registered Nursing.

DATED: November 26/2012

  
GLADYS CHINWOKE MUEOBONAM  
Respondent

I have read and fully discussed with Respondent Gladys Chinwoke Mueobonam the terms and conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order. I approve its form and content.

DATED: November 30, 2012

  
Eloche Ukeje  
Attorney for Respondent.


ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: Dec. 3, 2012

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
KAREN B. CHAPPELLE  
Supervising Deputy Attorney General

  
RANDY M. MAILMAN  
Deputy Attorney General  
*Attorneys for Complainant*

LA2011504884  
51128191.doc

**Exhibit A**

**Accusation No. 2012-350**

1 KAMALA D. HARRIS  
Attorney General of California  
2 KAREN B. CHAPPELLE  
Supervising Deputy Attorney General  
3 RANDY M. MAILMAN  
Deputy Attorney General  
4 State Bar No. 246134  
300 So. Spring Street, Suite 1702  
5 Los Angeles, CA 90013  
Telephone: (213) 897-2442  
6 Facsimile: (213) 897-2804  
*Attorneys for Complainant*

7  
8 **BEFORE THE**  
**BOARD OF REGISTERED NURSING**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

10 In the Matter of the Accusation Against:

Case No. **2012-350**

11 **GLADYS CHINWOKE MUOEBONAM**  
12 **P.O. Box 9813**  
13 **Fort Mohave, AZ 86427**  
**Registered Nurse License No. 668156**

**A C C U S A T I O N**

14 Respondent.

15 Complainant alleges:

16 **PARTIES**

17 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
18 official capacity as the Executive Officer of the Board of Registered Nursing, Department of  
19 Consumer Affairs.

20 2. On or about October 25, 2005, the Board of Registered Nursing issued Registered  
21 Nurse License Number 668156 to Gladys Chinwoke Muoebonam ("Respondent"). The  
22 Registered Nurse License was in full force and effect at all times relevant to the charges brought  
23 herein and will expire on May 31, 2013, unless renewed.

24 **JURISDICTION**

25 3. This Accusation is brought before the Board of Registered Nursing ("Board"),  
26 Department of Consumer Affairs, under the authority of the following laws. All section  
27 references are to the Business and Professions Code ("Code") unless otherwise indicated.  
28

4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of the Nursing Practice Act.

## STATUTORY PROVISIONS

5. Section 118, subdivision (b) of the Code provides, in pertinent part:

“(b) The suspension, expiration, or forfeiture by operation of law of a license issued by a board in the department, or its suspension, forfeiture, or cancellation by order of the board or by order of a court of law, or its surrender without the written consent of the board, shall not, during any period in which it may be renewed, restored, reissued, or reinstated, deprive the board of its authority to institute or continue a disciplinary proceeding against the licensee upon any ground provided by law or to enter an order suspending or revoking the license or otherwise taking disciplinary action against the licensee on any such ground.”

6. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license.

7. Section 2761 of the Code provides, in pertinent part:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

• • •

(4) Denial of licensure, revocation, suspension, restriction, or any other disciplinary action against a health care professional license or certificate by another state or territory of the United States, by any other government agency, or by another California health care professional licensing board. A certified copy of the decision or judgment shall be conclusive evidence of that action . . .”

8. Section 2811, subdivision (b) of the Code provides:

“Each such license not renewed in accordance with this section shall expire but may within a period of eight years thereafter be reinstated upon payment of the biennial renewal fee and penalty fee required by this chapter and upon submission of such proof of the applicant's qualifications as may be required by the board, except that during such eight-year period no examination shall be required as a condition for the reinstatement of any such expired license which has lapsed solely by reason of nonpayment of the renewal fee. After the expiration of such eight-year period the board may require as a condition of reinstatement that the applicant pass such examination as it deems necessary to determine his present fitness to resume the practice of professional nursing.”

1

2

## 6

## 7

8

1

8

0

3

6

1 the heparin even though the patient was showing signs of internal bleeding.

2 16. At approximately 9 p.m., patient R.P.'s blood pressure dropped to 70/30.

3 17. At approximately 9:30 p.m., patient R.P.'s blood pressure was at 88/43.

4 18. At approximately 10:30 p.m., patient R.P.'s blood pressure dropped to 62/53 and  
5 patient R.P. had another episode of dark rectal bleeding.

6 19. At approximately 11:45 p.m., patient R.P.'s blood pressure was at 69/54 and the  
7 pulse was 98.

8 20. On or about June 4, 2008, at approximately 1:15 a.m., patient R.P.'s blood  
9 pressure was 58/42 and pulse was 48.

10 21. At approximately 1:32 a.m., patient R.P. was unresponsive and the emergency  
11 response system was activated. Cardiopulmonary resuscitation was performed. Patient R.P. was  
12 intubated and transferred to the Intensive Care Unit.

### 13 **SECOND CAUSE FOR DISCIPLINE**

#### 14 **(Disciplinary Action by the Nevada State Board of Nursing)**

15 22. Respondent is subject to disciplinary action under Code section 2761, subdivision  
16 (a)(4), on the grounds of unprofessional conduct in that Respondent's registered nurse license was  
17 disciplined by the Nevada State Board of Nursing ("Nevada Board").

18 23. On or about October 20, 2009, pursuant to the Order of Probation issued by the  
19 Nevada Board, in the disciplinary action entitled *In the Matter of Gladys Muoebonam Licensed*  
20 *Professional Nurse Nevada License No. RN50305*, the Nevada Board disciplined Respondent's  
21 registered nurse license by revoking it, staying revocation, and placing it on probation for a  
22 minimum of one year.

### 23 **THIRD CAUSE FOR DISCIPLINE**

#### 24 **(Unprofessional Conduct)**

25 24. Respondent is subject to disciplinary action under Code section 2761, subdivision  
26 (a), in that Respondent committed acts of unprofessional conduct. The conduct is more  
27 particularly described in paragraphs 11 through 21, and 23 inclusive, above, and herein  
28 incorporated by reference.

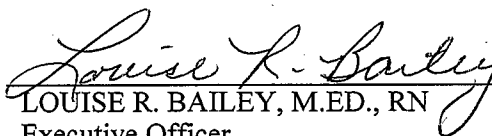


**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 668156, issued to Gladys Chinwoke Muoebonam;
2. Ordering Gladys Chinwoke Muoebonam to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;
3. Taking such other and further action as deemed necessary and proper.

DATED: December 26, 2011

  
LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
*Complainant*

LA2011504884  
51013501.doc